

-3-

comparing the nucleotide sequences as listed in the Sequence Listing from SEQ ID NOS 1 through 17 with the constructions of the promoters having internal deletions, it was evident that the SEQ ID NO identifiers were off by one after SEQ ID NO 7. As a result, the construct identified as pAB in the specification at page 19 and in claim 2 as SEQ ID NO 8 is in actuality SEQ ID NO 9. This error is the same for the rest of the promoters that are listed on page 19 and in claim 2 following the pAB construct. Therefore, the amendments to renumber the SEQ ID NO identifiers to correspond with the actual fragments were done as indicated in the amendment section. In addition, the correct sequence corresponding to SEQ ID NO 8, now deleted from the list of promoters on page 19 and in claim 2, is the 143 nucleotide sequence that is identified as the pF promoter as listed in Table 2 and shown in Figure 8 with an internal deletion resulting in a construct from -63 to +72 of the CsVMV promoter sequence shown in Figure 3. The amendment at page 59 thus is to correctly identify the pF promoter as the one corresponding to existing SEQ ID NO 8.

Support for this amendment is the same as that provided above for correcting the correspondence of the listed sequences from SEQ ID NO 9 through SEQ ID NO 17 to the actual internally deleted promoter constructs listed on page 19 and in claim 2. The amendments at page 37 are to correct obvious typographical errors.

SEQ ID NO 3 of the originally filed sequence listing has been amended to correct an obvious typographical error. The first 6 nucleotides at the 5' end have been deleted and replaced with 4 new nucleotides. Support for this amendment can be found in Figure 3 which shows the correct sequence at the 5' end. The above amendments are to add sequence listing identifiers and correct obvious typographical errors. No new matter has been added. Applicants respectfully request entry of these amendments.

I hereby state that the content of the paper and computer readable copies of the Substitute Sequence Listing, submitted in

accordance with 37 CFR §1.821(a) through (c) and (e), respectively, are the same and include no new matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that making willful false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11/7/00
Date

Emily Holmes
Emily Holmes, Reg. No. 40,652

THE SCRIPPS RESEARCH INSTITUTE
10550 North Torrey Pines Road
Mail Drop TPC-8
La Jolla, California 92037
(858) 784-2937